

REMARKS

Claims 1-23, 25-32, and 34-37 are pending in the application. Claims 1, 13, 20, and 30 have been amended. No new matter is introduced by these amendments.

Rejections under 35 USC 103

Claims 1-23, 25-32, and 34-37 were rejected as being unpatentable over US Patent No. 6,090,217 to Kittle in view of US Patent Publication 2003/0171239 to Patel. The Applicants respectfully request that the Examiner reconsider these rejections in light of the amendments and arguments below.

Claims 1, 13, 20, and 30 have been amended and are directed toward methods and apparatuses for removing a layer of a substrate surface. Claim 1 has been amended to specify that the encapsulating transport is applied through an applicator having a diameter less than a diameter of the substrate, and the applicator is linearly moved over the diameter of the substrate. Kittle requires an immersion technique where the substrate is submerged into the solution and then the foam is formed (see Figures 7-16 and the text of columns 7 and 8). Accordingly, Applicants respectfully request that the rejection of claim 1 be withdrawn in light of this amendment. Claims 7, 13, 20, and 30 have been amended similarly. Applicants respectfully submit that the amendments to claims 1, 7, 13, 20, and 30 provide a feature not taught by the cited references. Accordingly, claims 1, 7, 13, 20, and 30 and corresponding independent claims are allowable for at least these reasons. In addition, Applicants respectfully submit that modifying Kittle to apply the fluid through the applicator as claimed would change the principle of operation as Kittle requires the substrate to be submerged and then generating the foam from the fluid in which the substrate is submerged.

In view of the foregoing, Applicants respectfully submit that all of the pending claims are in condition for allowance, as allowable features have been incorporated into each independent claim. A notice of allowance is respectfully requested. If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 774-6921. If any other fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. LAM2P422). A copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
MARTINE PENILLA & GENCARELLA, LLP



Michael L. Gencarella, Esq.
Reg. No. 44,703

Martine Penilla & Gencarella, LLP
710 Lakeway Drive, Suite 200
Sunnyvale, California 94085
Tel: (408) 774-6921
Customer Number 25920